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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 MICHAEL CIFALDO,

11 Plaintiff(s),

12 v.

13 BNY MELLON INVESTMENT
14 SERVICING TRUST COMPANY,

15 Defendant(s).

Case No.: 2:17-cv-00842-JAD-NJK

ORDER

(Docket No. 23)

16 Before the Court is Defendant BNY Mellon Investment Servicing Trust Company's status
17 report. Docket No. 23. On July 20, 2018, the Court ordered the parties to file a joint proposed
18 discovery plan and scheduling order, no later than August 3, 2018. Docket No. 22. Defendant
19 submits that the parties scheduled a Fed.R.Civ.P. 26(f) conference for June 13, 2018. Docket No.
20 23 at 1-2. Defendant further submits that, on June 12, 2018, Plaintiff emailed Defendant's counsel
21 to reschedule the conference, as he did not feel well. *Id.* at 1-2. Since that time, Plaintiff has failed
22 to respond to Defendant's counsel, despite emails sent on June 12 and June 19, 2018, to reschedule
23 the conference. *Id.* at 2.

24 Accordingly, the Court allows Plaintiff one final opportunity to comply with the order at
25 Docket No. 22. The Court **ORDERS** Plaintiff to contact counsel for Defendant, no later than
26 August 13, 2018, to reschedule a Fed.R.Civ.P. 26(f) conference. The Court further **ORDERS** that
27 a joint proposed discovery plan and scheduling order must be filed, no later than August 17, 2018.
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1 The Court cautions Plaintiff that failure to comply with this order may result in sanctions, up to
2 and including dismissal.

3 IT IS SO ORDERED.

4 Dated: August 6, 2018

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6 NANCY J. KOPPE
7 United States Magistrate Judge
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